

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 317*
Committee Substitute Favorable 4/16/03

Short Title: State Assistance to Low-Performing LEAs.-AB

(Public)

Sponsors:

Referred to:

March 6, 2003

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO IDENTIFY
AND PROVIDE ASSISTANCE TO LOW-PERFORMING SCHOOL
ADMINISTRATIVE UNITS.

The General Assembly of North Carolina enacts:

SECTION 1. Part 3 of Article 8B of Chapter 115C of the General Statutes is amended by adding the following new section to read:

"§ 115C-105.42. Low-performing local school administrative units; identification; assistance.

(a) The State Board of Education shall design and implement a procedure to identify low-performing local school administrative units on an annual basis. Low-performing local school administrative units are those in which there is a failure to meet the minimum performance composite score, as defined by the State Board, and a majority of students are performing below grade level.

(b) The local board of education in a low-performing local school administrative unit may request the State Board to assign a systemwide assistance team to the local school administrative unit to assist the local board in identifying systemwide impediments to student achievement and making recommendations to the board about ways to improve student performance. Upon request, the State Board may assign an assistance team to any low-performing local school administrative unit to assist the local board with the development of a school system improvement plan that contains goals and strategies for improving student performance in the local school administrative unit. The State Board may direct the systemwide assistance team to work with the local board and school personnel to implement the plan and otherwise improve student achievement.

(c) A local school administrative unit that has been identified as a low-performing local school administrative unit for two consecutive years shall be deemed a continually low-performing local school administrative unit. The State Board may assign a systemwide assistance team to any continually low-performing local

1 school administrative unit. When assigned to a continually low-performing local school
2 administrative unit, the systemwide assistance team shall:

- 3 (1) Review and investigate all facets of school system operations and
4 assist in developing recommendations for improving student
5 performance in that local school administrative unit.
- 6 (2) As deemed necessary by the systemwide assistance team, evaluate any
7 central office or school-based administrators.
- 8 (3) Collaborate with the staffs of the local board, central office, and local
9 schools to design, implement and monitor a plan that, if fully
10 implemented, can reasonably be expected to alleviate identified
11 problems and improve student performance in the local school
12 administrative unit.
- 13 (4) Make continuing recommendations as the plan is developed and
14 implemented.
- 15 (5) Review the progress of the local school administrative unit.
- 16 (6) Report, as appropriate, to the local board, the community, and the State
17 Board on the local school administrative unit's progress under the
18 plan.

19 (d) If a continually low-performing local school administrative unit fails to
20 improve student performance after assistance is provided under subsection (c) of this
21 section, the assistance team may recommend that the assistance continue to that local
22 school administrative unit or that the State Board take further action under G.S.
23 115C-105.39(c)(3).

24 (e) The State Board may direct the Department of Public Instruction staff to
25 provide support to a systemwide assistance team.

26 (f) The State Board shall annually review the progress made in identified
27 low-performing local school administrative units."

28 **SECTION 2.** G.S. 115C-105-39(c) reads as rewritten:

29 "(c) The State Board may appoint an interim superintendent in a local school
30 administrative unit:

- 31 (1) Upon the identification of more than half the schools in that unit as
32 low-performing under ~~G.S. 115C-105.37;~~ ~~or~~ G.S. 115C-105.37;
- 33 (2) Upon the recommendation from an assistance team assigned to a
34 school located in that unit that has been identified as low-performing
35 under G.S. 115C-105.37. This recommendation shall be based upon a
36 finding that the superintendent has failed to cooperate with the
37 assistance team or has otherwise hindered that school's ability to
38 ~~improve.~~ improve; or
- 39 (3) Upon the recommendation from a systemwide assistance team
40 assigned to a continually low-performing local school administrative
41 unit under G.S. 115C-105.42. This recommendation shall be based
42 upon a finding that the superintendent has failed to cooperate with the
43 assistance team or has otherwise hindered the local school
44 administrative unit's ability to improve.

1 The State Board may assign any of the powers and duties of the local superintendent
2 and the local finance officer to the interim superintendent that the Board considers are
3 necessary or appropriate to improve student performance in the local school
4 administrative unit. The interim superintendent shall perform all of these assigned
5 powers and duties. The State Board of Education may terminate the contract of any
6 local superintendent entered into on or after July 1, 1996, when it appoints an interim
7 superintendent. The Administrative Procedure Act shall apply to that decision. Neither
8 party to that contract is entitled to damages."

9 **SECTION 3.** This act is effective when it becomes law.